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| APPLICATION NO. | FILING DATE | FIRST NAMED INVENTOR | ATTORNEY DOCKET NO. | CONFIRMATION NO. |
|-----------------|-------------|----------------------|---------------------|------------------|
| 09/183,380 | 10/30/1998 | EVERT M. BOSMA | PHN-16-611 | 3061 |

7590 03/15/2002

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EXAMINER

TRAN, CON P

| | |
|----------|--------------|
| ART UNIT | PAPER NUMBER |
|----------|--------------|

2644

DATE MAILED: 03/15/2002

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/183,380

Applicant(s)

BOSMA ET AL.

Examiner

Con P. Tran

Art Unit

2644

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 30 October 1998.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-10 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-10 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☒ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☒ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on _____ is: a) ☐ approved b) ☐ disapproved by the Examiner.
- If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
- a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449) Paper No(s) 6 and 8.
- 4) ☐ Interview Summary (PTO-413) Paper No(s). _____
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____

DETAILED ACTION

Specification

1. The following guidelines illustrate the preferred layout for the specification of a utility application. These guidelines are suggested for the applicant's use.

Arrangement of the Specification

As provided in 37 CFR 1.77(b), the specification of a utility application should include the following sections in order. Each of the lettered items should appear in upper case, without underlining or bold type, as a section heading. If no text follows the section heading, the phrase "Not Applicable" should follow the section heading:

(a) TITLE OF THE INVENTION.

(b) CROSS-REFERENCE TO RELATED APPLICATIONS.

(c) STATEMENT REGARDING FEDERALLY SPONSORED RESEARCH OR
DEVELOPMENT.

(d) INCORPORATION-BY-REFERENCE OF MATERIAL SUBMITTED ON A
COMPACT DISC (See 37 CFR 1.52(e)(5) and MPEP 608.05. Computer
program listings (37 CFR 1.96(c)), "Sequence Listings" (37 CFR 1.821(c)),

and tables having more than 50 pages of text are permitted to be submitted on compact discs.) or

REFERENCE TO A "MICROFICHE APPENDIX" (See MPEP § 608.05(a).

"Microfiche Appendices" were accepted by the Office until March 1, 2001.)

(e) BACKGROUND OF THE INVENTION.

(1) Field of the Invention.

(2) Description of Related Art including information disclosed under 37 CFR 1.97 and 1.98.

(f) BRIEF SUMMARY OF THE INVENTION.

(g) BRIEF DESCRIPTION OF THE SEVERAL VIEWS OF THE DRAWING(S).

(h) DETAILED DESCRIPTION OF THE INVENTION.

(i) CLAIM OR CLAIMS (commencing on a separate sheet).

(j) ABSTRACT OF THE DISCLOSURE (commencing on a separate sheet).

(k) SEQUENCE LISTING (See MPEP § 2424 and 37 CFR 1.821-1.825. A

"Sequence Listing" is required on paper if the application discloses a nucleotide or amino acid sequence as defined in 37 CFR 1.821(a) and if the required "Sequence Listing" is not submitted as an electronic document on compact disc).

Drawings

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2. The drawings are objected to because block "6" and "10" should be labeled as "transmission circuit" and "signal energy detector" respectively. A proposed drawing correction or corrected drawings are required in reply to the Office action to avoid abandonment of the application. The objection to the drawings will not be held in abeyance.

Claim Objections

3. Claim 1 is objected to because of the following informalities: The word "characterized" has a spelling error. Appropriate correction is required.

Claim Rejections - 35 USC § 102

4. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

5. **Claims 1-7 and 10** are rejected under 35 U.S.C. 102(b) as being anticipated by Hoopes U.S. Patent 6,058,171.

Regarding **claim 1**, Hoopes teaches (see Fig. 1, 6, 7 and respective portions of the specification) a wire-bound telecommunication device comprising terminals for

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coupling the device to a subscriber line (115, 120) of a telecommunication network, a transmission circuit (210), and a signal energy detecting arrangement, characterized in that the signal energy detecting arrangement (100) comprises means for determining a time-domain signal representing the signal energy of a signal on the subscriber line in a predetermined time interval (see col. 2, lines 55-65 and col. 6, lines 15-29).

Regarding **claim 2**, Hoopes further teaches (see Fig. 1 and respective portions of the specification) the signal energy is determined cyclically (see col. 2, lines 55-65).

Regarding **claim 3**, Hoopes further teaches (see Fig. 2 and respective portions of the specification) the signal energy determination is initiated by a trigger pulse (see col. 2, line 66 – col. 3, line 10).

Regarding **claim 4**, Hoopes further teaches (see Fig. 3, 4, 5 and respective portions of the specification) the telecommunication device operates according to a given signal protocol, the signal energy being determined during at least one predetermined expected signal interval (see col. 3, lines 25-46).

Regarding **claim 5**, Hoopes further teaches (see Fig. 1, 2 and respective portions of the specification) the signal protocol is a caller identification signal protocol and the expected signal interval comprises a tone alerting signal (see col. 2, lines 55-65).

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Regarding **claim 6**, Hoopes further teaches (see Fig. 1, 2 and respective portions of the specification) the signal energy determination is continued until a further expected signal interval comprising a caller identification signal (see col. 2, lines 55-65).

Regarding **claim 7**, Hoopes further teaches (see Fig. 1, 2 and respective portions of the specification) a caller identification signal detector is initiated by an initiating pulse, which is generated a predetermined time after the detection of the tone alerting (see col. 2, line 55 – col. 3, line 10).

Regarding **claim 10**, Hoopes teaches (see Fig. 1, 6, 7 and respective portions of the specification) a circuit for use in a wire-bound telecommunication device comprising terminals for coupling the device to a subscriber line (115, 120) of a telecommunication network and a transmission circuit (210), the circuit comprising a signal energy detecting arrangement, characterized in that the signal energy detecting arrangement (100) comprises means for determining the signal energy in a predetermined time interval (see col. 2, lines 55-65 and col. 6, lines 15-29).

Claim Rejections - 35 USC § 103

6. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

7. **Claims 8 and 9** are rejected under 35 U.S.C. 103(a) as being unpatentable over Hoopes U.S. Patent 6,058,171 in view of Rosen et al. U.S. Patent 5,864,607.

Regarding **claim 8**, Hoopes teaches a wire-bound telecommunication device as recited in claim 7, However, Hoopes reference does not explicitly disclose the initiation pulse controls switching of an impedance parallel to the subscriber line.

In the same field of endeavor, Rosen et al. teach (see Fig. 5, 6A, 6B and respective portions of the specification) an initiation pulse controls switching of an impedance parallel to the subscriber line (see col. 9, lines 25-55) so that the telephone line resources-including power, dual-tone multi-frequency (DTMF) or pulse dialing indicators, and call progress tone generators- are then dedicated to the now off-hook telephone (see col. 1, lines 19-23).

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to have included within the Hoopes reference an initiation pulse that controls switching of an impedance parallel to the subscriber line (see col. 9, lines 25-55) as taught by Rosen et al. since such combination would have provided the telephone line resources-including power, dual-tone multi-frequency (DTMF) or pulse dialing indicators, and call progress tone generators- are then dedicated to the now off-hook telephone as suggested by Rosen et al. in column 1, lines 19-23.

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Regarding **claim 9**, Rosen et al. further teach (see Fig. 5, 6A, 6B and respective portions of the specification) the energy determination is used for monitoring subscriber line load variations (see col. 9, lines 25-55).

Conclusion

8. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

| Inventor | Publication | Number | Disclosure |
|------------|-------------|-----------|---|
| Bartkowiak | US Patent | 6,269,160 | A communication device including an improved customer premises equipment alerting signal (CAS) detecting system |
| Cason | US Patent | 5,901,219 | A reduced complexity method of ring signal detection. |


Any inquiry concerning this communication or earlier communications from the examiner should be directed to Con P. Tran whose telephone number is (703) 305-2341. The examiner can normally be reached on M - F (8:30 AM - 5:00 PM).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Forester W. Isen can be reached on (703) 305-4386. The fax phone numbers for the organization where this application or proceeding is assigned are (703) 872-9314 for regular communications and (703) 872-9314 for After Final communications.

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Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the Customer Service Office at telephone number (703) 306-0377.

cpt CPT
March 11, 2002


FORESTER W. ISEN
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 2700